

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
FERNANDO HERNANDEZ, KENNETH CHOW,
BRYANT WHITE, DAVID WILLIAMS,
MARQUIS ACKLIN, CECILIA JACKSON,
TERESA JACKSON, MICHAEL LATTIMORE
and JUANY GUZMAN, Each Individually, And On Behalf
Of All Other Persons Similarly Situated,

12 Civ. 4339 (ALC)(JLC)

NOTICE OF MOTION

Plaintiffs,

-against-

THE FRESH DIET INC.,
LATE NIGHT EXPRESS COURIER SERVICES INC. (FL),
FRESH DIET EXPRESS CORP. (NY),
THE FRESH DIET - NY INC. (NY),
FRESH DIET GRAB & GO, INC. (FL) a/k/a
YS CATERING HOLDINGS, INC. (FL) d/b/a
YS CATERING, INC. (FL),
FRESH DIET EXPRESS CORP. (FL),
SYED HUSSAIN, Individually,
JUDAH SCHLOSS, Individually,
and ZAIMI DUCHMAN, Individually

Defendants.

-----X
Please take notice that upon the Declaration of Walker G. Harman, Jr., its exhibits, the accompanying Memorandum of Law, and all of the pleadings and proceedings in this action, Plaintiffs respectfully intend to move this Court as soon as may be possible to issue an order granting class action certification to Plaintiffs and for such other and further relief as this Court may deem just, equitable, or proper.

Dated: New York, New York
May 20, 2014

Respectfully submitted by:
THE HARMAN FIRM, PC
Counsel for Plaintiffs

s/ Walker G. Harman, Jr.
Walker G. Harman, Jr. [WH-8044]
1776 Broadway, Suite 2030
New York, New York 10019
(212) 425-2600
wharman@theharmanfirm.com